



06-25-03

DAS (A)

SUBMISSION OF PETITION FOR REVIVALDocket Number:
074451.P127D8

First named inventor: Edward L. Schwartz

Application No.: 09/801,218

Art Unit: 2621

Filed: March 6, 2001

Examiner: Unknown

Title: Method and Apparatus for Eliminating Flicker by Quantizing Values Based on Previous Quantization

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

Applicant(s) believe(s) that the above-identified application is being regarded by the United States Patent and Trademark Office (USPTO) as abandoned. Accordingly, applicant(s) submit(s) herewith a Petition for Revival of An Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing in accordance with 37 CFR § 1.137(f). The Petition fee required under 37 CFR § 1.17(m) is submitted herewith. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Applicant(s) respectfully submit(s) that the USPTO has misinterpreted the requirements of 35 U.S.C. § 122, causing the needless filing of the subject Petition, and respectfully requests a refund under 37 CFR § 1.26 for the fees under 37 CFR § 1.17(m) mistakenly required to be paid. The refund can be credited to Deposit Account No. 02-2666. If a refund is not forthcoming, applicant(s) reserve(s) the right to request a refund for the Petition fee based on a subsequent finding by the USPTO or a court of proper jurisdiction that the requirements of 35 U.S.C. § 122 have been misinterpreted.

6/23/03

Date

Signature

Telephone
Number: (408) 720-8300Michael J. Mallie

Typed or Printed Name

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
Telephone Number: (408) 720-830036,591

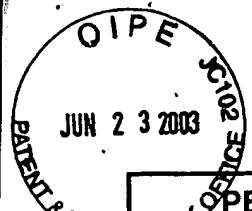
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JUN 23 2003

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f))		Docket Number: 074451.P127D8
<p>First named inventor: Edward L. Schwartz</p> <p>Application No.: 09/801,218 Art Unit: 2621</p> <p>Filed: March 6, 2001 Examiner: Unknown</p> <p>Title: Method and Apparatus for Eliminating Flicker by Quantizing Values Based on Previous Quantization</p> <p>Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 308-6916</p> <p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p> <p>The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).</p> <p>PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION UNDER 37 CFR 1.137(b)</p> <p>1. Petition fee</p> <p><input type="checkbox"/> Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Other than small entity – fee \$1,300.00 (37 CFR 1.17(m)).</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the indicated fees and credit any overpayments to Deposit Account No. 02-2666.</p> <p><input checked="" type="checkbox"/> Fee is enclosed.</p> <p>2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))</p> <p>Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is <u>December 11, 2001</u>.</p>		

(Page 1 of 2)

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SEND COMPLETED FORM TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. IUN 26 2003

Based on Form PTO/SB/64a (05-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 05/13/03

OFFICE OF PETITIONS

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

6/23/03
Date


Signature

Telephone
Number: (310) 207-3800

Michael J. Mallie
Typed or Printed Name

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
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Los Angeles, CA 90025
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36,591
Registration No.

Enclosures: Fee Payment

Additional Sheets containing statements establishing unintentional delay

Other: Submission of Petition for Revival

"Express Mail" mailing label number: EV336584222US
Date of Deposit: June 23, 2003

I hereby state that I am causing this paper or fee to be deposited with the United States Postal Service
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6/23/03
Date


Signature

Alice Tam
Typed or printed name of person signing certificate

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Description	
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1813	8,800	1813 8,800 Request for inter parties reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	410	2252 205 Extension for reply within second month	
1253	930	2253 465 Extension for reply within third month	
1254	1,450	2254 725 Extension for reply within fourth month	
1255	1,970	2255 985 Extension for reply within fifth month	
1401	320	2401 160 Notice of Appeal	
1402	320	2402 160 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	1300.00
1501	1,300	2501 650 Utility issue fee (or reissue)	
1502	470	2502 235 Design issue fee	
1503	630	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	750	2809 375 For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814 55 Statutory Disclaimer	
1810	750	2810 375 For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	750	2801 375 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
1504	300	1504 300 Publication fee for early, voluntary, or normal pub.	
1505	300	1505 300 Publication fee for republication	
1803	130	1803 130 Request for voluntary publication or republication	
1808	130	1808 130 Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,300	1454 1,300 Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

SUBTOTAL (3) \$ 1300.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Michael J. Mallie

Signature:  Date: 6/23/03

Reg. Number: 36,591 Telephone Number: 408-720-8300

EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EV336584222US

Date of Deposit: June 23, 2003

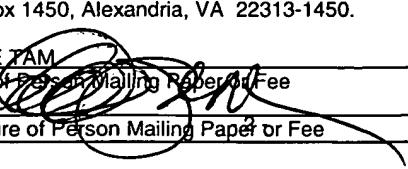
I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALICE TAM
Name of Person Mailing Paper or Fee

Signature of Person Mailing Paper or Fee

Date Signed

01/01/03

 6/23/03

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Description	
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1808	130	1808 130 Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,300	1454 1,300 Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

SUBTOTAL (3) \$ 1300.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Michael J. Mallie

Signature:  Date: 6/28/03

Reg. Number: 36,591 Telephone Number: 408-720-8300

EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EV336584222US

Date of Deposit: June 28, 2003

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Name of Person Mailing Paper or Fee

Date Signed

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